

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOSHUA W. JOHNSON,)
vs.)
Plaintiff,)
vs.)
MICHAEL J. ASTRUE,)
Commissioner of the Social)
Security Administration,)
vs.)
Defendant.)
Case No. CIV-09-1126-M

ORDER

On October 25, 2010, United States Magistrate Judge Shon T. Erwin issued Findings & Recommendation in this action brought pursuant to 42 U.S.C. § 405(g) for judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying plaintiff’s application for disability insurance benefits under 42 U.S.C. §§ 416(i) and 423 and his application for supplemental security income benefits under 42 U.S.C. § 1382c(a)(3) of the Act. The Magistrate Judge recommended the Commissioner’s decision be reversed and remanded for further administrative proceedings. The parties were advised of their right to object to the Findings & Recommendation by November 14, 2010. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Findings & Recommendation issued by the Magistrate Judge on October 25, 2010;
- (2) REVERSES the decision of the Commissioner;
- (3) REMANDS for further administrative proceedings consistent with the Findings & Recommendation; and

(4) ORDERS that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED this 16th day of November, 2010.



VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE